



**Z-09-09-002**

**City of Greensboro Planning Department  
Zoning Staff Report and Plan Amendment Evaluation**

**Zoning Commission Hearing Date: September 14, 2009**

**GENERAL INFORMATION**

<b>APPLICANT</b>	Virginia Dale Middleton
<b>HEARING TYPE</b>	Rezoning
<b>REQUEST</b>	<b>RS-9</b> (Residential-Single-Family) to <b>CD-LO</b> (Conditional District-Limited Office)
<b>CONDITIONS</b>	1. All lighting will be directed downward and into the interior of the property so as to minimize light shining outside of the property.
<b>LOCATION</b>	209 Muirs Chapel Road, generally described as the southwest corner of the intersection of Muirs Chapel Road and Mitchell Avenue)
<b>PARCEL ID NUMBER (S)</b>	<b>00-00-0377-0-0002-00-016</b>
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). <b>59</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~0.53 Acres
<b>TOPOGRAPHY</b>	Generally flat
<b>VEGETATION</b>	Residential landscaping

**SITE DATA**

<b>Existing Use</b>	Single-family dwelling unit	
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	RS-12 (Residential-Single Family)	Single-family dwelling unit
E	CD-GO-M (Conditional District-General Office-Moderate Intensity)	Offices
W	RS-9 (Residential-Single Family)	Single-family dwelling unit
S	RS-9 (Residential-Single Family)	Single-family dwelling unit

**Zoning History****Case #****Date****Request Summary**

This property has been zoned RS-9 since July 1, 1992. Prior to the implementation of the Unified Development Ordinance (UDO), it was zoned RES 120 S

**ZONING DISTRICT STANDARDS****District Summary \***

Zoning District  
Designation:

Existing  
(RS-9)

Requested  
(CD-LO)

Max. Density: 4 dwelling units per acre

N/A

Typical Uses	Primarily intended to accommodate high density and single-family detached dwellings in developments where public water and sewer service is required.	Primarily intended to accommodate low intensity medical, professional, administrative, and government office uses on small to mid-sized sites near residential areas.
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*\*These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION****Overlay District Ordinance/Historic Preservation**

None

**Environmental/Soils**

Water Supply N/A

Watershed

Floodplains N/A

Streams N/A

Other: If any development is proposed and disturbed area is greater than 1 acre then Phase II rules must be met.

**Airport Noise Cone**

The subject property is not located in the Airport Noise Cone.

**Landscaping Requirements**

**North** Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'

**South** Type B Yard – avg. width 30'; 3 canopy trees per 100'; 5 understory trees per 100'; 25 shrubs per 100'

**East** Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'

**West** Type B Yard – avg. width 30'; 3 canopy trees per 100'; 5 understory trees per 100'; 25 shrubs per 100'

**Tree Preservation Requirements****Acreage****Requirements**

**.53 ac. Plus** 1% of lot area and be located within the required planting yard

**Transportation**

Street Classification	Muir's Chapel Road – Minor Thoroughfare.
Site Access	All access(s) shall be designed and constructed to the City of Greensboro standards.
Traffic Counts:	Muir's Chapel Road ADT = 7,531 (2007).
Trip Generation:	N/A.
Sidewalks	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. There is no sidewalk along the frontage of this area nor are there any plans to construct sidewalk in the area.
Transit in Vicinity	Yes, route 7, Friendly Avenue, and route 9, W. Market Street.
Traffic Impact Study (TIS)	No, not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

**IMPACT ANALYSIS****Land Use Compatibility**

The proposed **CD-LO** (Conditional District-Limited Office) zoning would allow land uses that are generally compatible with the general character of the area.

**Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map designates this location as **High Residential**. The requested **CD-LO** (Conditional District-Limited Office) zoning district is consistent with this GFLUM designation.

**Connections 2025 Written Policies**

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

POLICY 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

Housing and Neighborhoods Goal: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

POLICY 6A.4: Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent

with the neighborhood's livability, architectural or historical character, and reinvestment potential.

Including protection against incompatible commercial encroachments into residential neighborhoods

### **Connections 2025 Map Policies**

High Residential (over 12 d.u./acre): This category provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Creating opportunities for this type of housing will become increasingly important to respond to demographic shifts and demand for affordable housing, and it is ideally suited near major activity and employment centers and in areas suitable for future transit service. Within this district, office buildings may also be accommodated.

## **CONFORMITY WITH OTHER PLANS**

**Other Plans - N/A**

### **Staff/Agency Comments**

#### **Water Resources**

N/A

#### **Housing and Community Development**

Although there is not an established neighborhood organization in this area, this proposed rezoning and redevelopment is located in a stable single family residential enclave. With the exception of the existing office and commercial uses surrounding the Muirs Chapel Road/West Market Street intersection, the segment of Muirs Chapel Road from West Market Street to West Friendly Avenue is entirely residential in character. If approved, this proposal would be incompatible with that development pattern and could impose significant negative impacts on adjacent existing single family residential development. If approved, the potential negative impacts could be partly mitigated through the use of substantial vegetated and constructed buffers on the northern and western property boundaries. Applicant is strongly encouraged to discuss this proposal with adjacent property owners.

#### **Planning**

This 0.53 acre parcel is currently being used as a single-family residence. This area of the City is in transition from residential to commercial and office uses, especially properties fronting on Muirs Chapel Road. To the east of the subject site is the Remax office complex and there is a current rezoning request to **LO** (Limited Office) for the properties to the south of this subject site.

The requested **LO** zoning district is primarily intended to accommodate low intensity medical, professional, administrative, and government office uses on small to mid-sized sites near residential areas. This request is therefore not contradictory to the intent and purpose of the zoning code since the request is in harmony with the development trend found in this vicinity.

This rezoning request, if approved, will help promote a diverse mix of uses, housing types, and densities in the general area without impacting the overall mix of uses found

in this vicinity. It will also promote a healthy, diversified economy with a strong tax base and opportunities for employment and entrepreneurship while at the same time promoting sound investment in Greensboro's urban areas.

Staff believes that this request is consistent with the intent and purpose of the zoning code and the Comprehensive Plan (Connections 2025). Staff is also of the opinion that the request is generally compatible with the existing development and trend in the surrounding area.

### **STAFF RECOMMENDATION**

Staff recommends **approval** of the requested **CD-LO** (Conditional District-Limited Office) zoning district.